

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

DANIEL RINEHART, )  
Plaintiff, )  
v. ) No. 1:19-CV-167-ACL  
DONNA JULIAN, )  
Defendant. )

**MEMORANDUM AND ORDER**

This matter is before the Court on self-represented plaintiff Daniel Rinehart's "Motion for Extension of Time to Get Mr. Rinehart Files from the Missouri Public Defender Office So He Can File His Brief to Southeastern Appeal Court." For the following reasons, the motion will be denied.

Plaintiff's current motion is his second motion for an extension of time to file an appeal. In granting plaintiff's first motion, the Court cited Federal Rule of Appellate Procedure 4(a)(5) and granted plaintiff until April 20, 2020 to file an appeal. *See* ECF No. 19. The Court cited Federal Rule of Appellate Procedure 4(a)(5)(C), which states "[n]o extension under . . . Rule 4(a)(5) *may exceed 30 days after the prescribed time* or 14 days after the date when the order granting the motion is entered, whichever is later." Fed. R. App. P. 4(a)(5)(C) (emphasis added).

Pursuant to Federal Rule of Appellate Procedure 4(a)(5), the Court has already extended plaintiff's deadline for filing his notice of appeal the thirty days prescribed by the appellate rules. The Court does not have the power under the appellate rules to extend the deadline any further. For this reason, plaintiff's motion will be denied.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's "Motion for Extension of Time to Get Mr. Rinehart Files from the Missouri Public Defender Office So He Can File His Brief to Southeastern Appeal Court" is **DENIED**. [ECF No. 20]

Dated this 18<sup>th</sup> day of June, 2020.

  
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STEPHEN N. LIMBAUGH, JR.  
UNITED STATES DISTRICT JUDGE